

# TYPE II DEVELOPMENT & ENVIRONMENTAL REVIEW, STAFF REPORT & DECISION

Form DS1401



**Project Name:** WITTHAUER SHORT PLAT

**Case Number:** PLD2004-00065; SEP2004-00122; SHL2004-00009, PAC2004-00164 (Waiver)

**Location:** 17508 NE Lucia Falls Road

**Request:** The applicant is requesting to short plat an approximate 1.9-acre parcel into 2 single-family residential lots located in the R-5 zone district.

**Applicant:** Pauline Hickman  
PO Box 1137  
Battle Ground, WA 98604  
(360) 666-1164

**Contact Person:** Same as applicant

**Property Owner:** Same as applicant

## **DECISION**

**Approved subject to Conditions of Approval**

**Team Leader's Initials:**        **Date Issued:** 11/3/04

### **County Review Staff:**

	<b><u>Name</u></b>	<b><u>Phone Ext.</u></b>	<b><u>E-mail Address</u></b>
<b>Planner:</b>	Travis Goddard	4180	<a href="mailto:Travis.goddard@clark.wa.gov">Travis.goddard@clark.wa.gov</a>
<b>Engineer:</b>	Ken Burgstahler	4347	<a href="mailto:Ken.burgstahler@clark.wa.gov">Ken.burgstahler@clark.wa.gov</a>
<b>Engineer:</b> (Trans. Concurrency):	Shelley Oylear	4354	<a href="mailto:Shelley.oylear@clark.wa.gov">Shelley.oylear@clark.wa.gov</a>
<b>Wetland Biologist:</b>	Brent Davis	4152	<a href="mailto:Brent.davis@clark.wa.gov">Brent.davis@clark.wa.gov</a>
<b>Habitat Biologist:</b>	Dave Howe	4598	<a href="mailto:David.howe@clark.wa.gov">David.howe@clark.wa.gov</a>

**Parcel Number:** 233175

**Comp Plan Designation:** R-10

**Applicable Laws:**

Clark County Code: Title 15 (Fire Prevention), Section 40.200.050 (Exceptions to Lot Size Requirements), Section 40.210.020 (Rural Residential Zoning District), Chapter 40.350 (Transportation), Section 40.350.020 (Transportation Concurrency), Chapter 40.380 (Storm Water Drainage and Erosion Control), Section 40.420.010 (Flood Hazard Area), Section 40.430 (Geologic Hazard Areas), Section 40.440 (Habitat Conservation), Section 40.460 (Shoreline Overlay District), Sections 40.500 and 40.510 (Procedures), Section 40.520.040 (Site Plan Review), Section 40.540 (Land Division Ordinance), Section 40.570 (SEPA), Section 40.570 (SEPA Archaeological), Section 40.610 (Impact Fees), Title 24 (Public Health), Clark County Shoreline Management Master Program, and the Clark County Comprehensive Plan.

**Neighborhood Association/Contact:**

Yacolt Mountain Neighborhood Association  
Kirk Lanier, Councilperson  
31719 NE Southview Drive  
Yacolt, WA 98675  
687-5864  
[kllanier@msn.com](mailto:kllanier@msn.com)

**Time Limits:**

The application was determined to be fully complete on August 18, 2004. Therefore, the County Code requirement for issuing a decision within 78 days lapses on November 4, 2004. The State requirement for issuing a decision within 120 calendar days, lapses on December 16, 2004.

**Vesting:**

An application is reviewed against the subdivision, zoning, transportation, stormwater and other land development codes in effect at the time a fully complete application for preliminary approval is submitted. If a pre-application conference is required, the application shall earlier contingently vest on the date the fully complete pre-application is filed. Contingent vesting requires that a fully complete application for substantially the same proposal is filed within 180 calendar days of the date the county issues its pre-application conference report.

A pre-application conference on this matter was held on August 2, 2001. Because this conference report had expired, the applicant applied for a pre-application waiver (PAC2004-00164) in conjunction with this application. This waiver was approved on August 8, 2004. Given these facts the application is not vested.

There are not any disputes regarding vesting.

## Public Notice:

Notice of application and likely SEPA Determination of Non-Significance (DNS) was mailed to the applicant, Yacolt Mountain Neighborhood Association and property owners within 500 feet of the site on September 2, 2004. Notice of the likely SEPA Determination was published in the "Columbian" Newspaper on September 2, 2004.

## Public Comments:

Department of Ecology, October 1, 2004, indicated that toxic contamination should be identified and monitoring done if toxic substances are found. They also noted that ground water withdrawal of 5,000 gallons per day for the well will required a water right.

## Project Overview

The site is located on the northern shore of the East Fork Lewis River.

The applicant is proposing to divide a 2.02 acre site into two a 1.1 acre lot and a .92 acre lot, in order to separate two legally placed residences.

The majority of the property is north of Lucia Falls Road but there is a .14 acre portion of the parcel that is between Lucia Falls Road and the East Fork Lewis River. This area is extremely steep and is not viable for any significant development. This portion of the lot will be come part of Lot 1 of the new short plat.

### Comprehensive Plan, Zoning and Current Land Use

Compass	Comp Plan	Zoning	Current Land Use
Site	R-5	R-5	Single-Family Residential
North	R-10	R-10	Large Lot Residential
East	R-5	R-5	Single-Family Residential
South	R-10	R-10	East Fork of the Lewis River
West	R-5	R-5	Single-family Residential

## Staff Analysis

Staff first analyzed the proposal in light of the 16 topics from the Environmental Checklist (see list below). The purpose of this analysis was to identify any potential adverse environmental impacts that may occur without the benefit of protection found within existing ordinances.

- |                                 |  |
|---------------------------------|--|
| 1. Earth                        | 9. Housing                             |
| 2. Air                          | 10. Aesthetics                         |
| 3. Water                        | 11. Light and Glare                    |
| 4. Plants                       | 12. Recreation                         |
| 5. Animals                      | 13. Historic and Cultural Preservation |
| 6. Energy and Natural Resources | 14. Transportation                     |
| 7. Environmental Health         | 15. Public Services                    |
| 8. Land and Shoreline Use       | 16. Utilities                          |

Then staff reviewed the proposal for compliance with applicable code criteria and standards in order to determine whether all potential impacts will be mitigated by the requirements of the code.

Staff's analysis also reflects review of agency and public comments received during the comment period, and knowledge gained through a site visit.

### **Major Issues:**

Only the major issues, errors in the development proposal, and/or justification for any conditions of approval are discussed below. Staff finds that all other aspects of this proposed development comply with the applicable code requirements, and, therefore, are not discussed below.

### **LAND USE:**

Finding 1 Lot Size: The applicant is proposing two (2) lots on an existing parcel of approximately 2.02 acres which is zoned Rural - 5. CCC 40.210 requires a minimum parcel size of five (5) acres in this zone. However, CCC 40.200.050(B) states that *if "a lot of record was lawfully occupied by two (2) or more single-family residences, such lot may be granted short plat approval under Chapter 40.540 of this code in order to permit the segregated sale of such residences, even though some or all of the resulting new lots will have dimension less than required for the zoning district in which the property is located"* provided the short plat does not create additional density. In this case there are two residences on the lot and the proposal is to create one lot for each residence. Given this fact, the number of proposed lots meets the requirements of CCC 40.210.

Finding 2 Permitted Use: Single-family residences are a permitted use in the R-5 zoning district as is the platting of property for residential use.

Finding 3 There are a number of buildings on the site. Each lot will have to be designed to ensure all buildings meet the setback standards for the R-5 zoning district prior to final short plat approval. (See *Condition A-1*)

### **SHORELINE:**

Finding 1 A Shoreline Conditional Use Permit is being processed concurrently with this application. This short plat decision will not be considered final until the SCUP is approved by the Washington State Department of Ecology (See condition A-2).

Finding 2 The Conditions of Approval for the Shoreline Conditional Use Permit (SHL2004-00009) and subsequent Washington State Department of Ecology approval shall be completed prior to final short plat approval. (See condition A-3).

### **TRANSPORTATION:**

#### **Circulation Plan**

Finding 1 Since frontage improvements will not required for this development, a circulation plan would not be required per CCC 40.350.030(B)(2)(2)(a).

## Roads

Finding 2 CCC 40.350.030(B)(6)(b)(1) & (2) requires that offsite access roads shall have an unobstructed and paved roadway width of 20 feet, except in those cases where the preexisting road is 18 feet wide, with one-foot shoulders, additional widening is not required. The preliminary application material indicates that NE Lucia Falls Road has an asphalt pavement width of 26 feet. Therefore, staff finds that these requirements have been satisfied.

Finding 3 NE Lucia Falls Road, fronting the project, is classified as a Scenic Highway in this area. Rural Collector standards shall be used for right-of-way and roadway sections per CCC 40.350.030(A)(7)(b). CCC 40.350.030(B)(5)(a)(1) says that the right-of-way width shall be a minimum of one-half of that specified in Tables 40.350.030-2 through 40.350.030-6. Table 40.350.030-3 of the Transportation Standards calls for a minimum right-of-way width of 60 feet for this classification of road. The applicant shall dedicate sufficient right-of-way to provide a minimum 30-foot half-width right-of-way along the entire frontage on both sides with NE Lucia Falls Road. (See Condition A-4)

Finding 4 Access - This site has two existing residences. The applicant proposes continued utilization the existing single driveway accessing NE Lucia Falls Road, to serve the existing two houses on the proposed two lots. Staff has been advised by Rich Lowry of the Clark County Prosecuting Attorney's Office that the county cannot require an existing driveway to meet the Transportation Standards if it continues to provide access to the same number of residences. This is because the driveway is a preexisting condition whose substandard nature would not be exasperated by this short plat approval. Staff has also been advised that a Road Modification is not required for relief from these requirements. Therefore, these two lots shall access NE 72<sup>nd</sup> Avenue via the existing access point only. (See Conditions A-5 & D-6)

Finding 5 The joint driveway shall be in a minimum 20-foot wide easement to comply with CCC 40.350.030(B)(4)(b)(2). This easement shall be widened as necessary to accommodate the entire driveway. (See Condition A-6)

Finding 6 CCC 40.350.030(B)(11) says that a maximum of three legal lots may use a joint driveway to access a public or private road. A note shall be placed on the final plat saying that only Lots 1 & 2 of this plat may utilize the joint driveway to access NE Lucia Falls Road. (See Condition # D-7)

Finding 7 As stated in Transportation Finding #4 above, staff has been advised by Rich Lowry of the Clark County Prosecuting Attorney's Office that the county cannot require an existing driveway to meet the Transportation Standards if it continues to provide access to the same number of residences. Therefore, the joint driveway is not subject to the turnout and turnaround requirements of CCC 40.350.030(B)(12).

Finding 8 Sight Distance - As stated in Transportation Finding #4 above, staff has been advised by Rich Lowry of the Clark County Prosecuting Attorney's Office that the county cannot require an existing driveway to meet the Transportation Standards if it continues to provide access to the same number of residences. Therefore, this driveway intersection is not subject to the sight distance requirements.

#### Road Modifications

There are no road modifications associated with this proposal.

#### Transportation Plan

Based upon the development site characteristics, the proposed transportation plan, the requirements of the County's transportation ordinance, and the findings above, staff concludes that the proposed preliminary transportation plan, subject to the conditions below, meets the requirements of the county transportation ordinance.

#### **STORMWATER:**

Finding 1 Applicability - Stormwater and Erosion Control Ordinance CCC 40.380 applies to each of the following development or redevelopment activities that:

- a. Results in 5,000 square feet or more of new impervious area within the rural area
- b. Results in 2,000 square feet or more of new impervious area within the urban area
- c. The addition or replacement of more than 1,000 square feet of impervious surface for any of the development activities or redevelopment listed in Sections 40.380.040(B)(7)(a) and 40.380.040(B)(7)(b), building areas excluded
- d. The platting of single-family residential subdivisions in an urban area
- e. If redevelopment results in 5,000 square feet or more of replaced impervious surface, then the provisions of Section 40.380.040(B)(3) apply.
- f. Drainage projects
- g. All land disturbing activities except those exempted in Section 40.380.030(A).

CCC 40.380.040(A)(6) exempts the construction of single-family homes, and their normal appurtenances and accessory structures, on an existing lot within the rural area from Section 40.380.040(B) (Water Quality Treatment) and Section 40.380.040(C) (Quantity Control). Therefore, the homes and their normal appurtenances are not subject to these sections of the Stormwater and Erosion Control Ordinance. This project is still subject to the Erosion Control portions of this ordinance. Erosion control shall be reviewed as a part of the Building Permit and/or Grading Permit process for any construction on these lots. (See Condition A-7 & D-5)

Finding 2 Stormwater Proposal - The applicant has not submitted a stormwater proposal.

Finding 3 Erosion Control - No additional residences are proposed. Erosion control shall be reviewed as a part of the Building Permit and/or Grading Permit process for any construction on these lots. (See Conditions A-7, D-5 and E-7 – E-10)

Effective January 1, 2002, all development activities performed by licensed contractors shall be supervised by an individual who shall have successfully completed formal training in erosion and sediment control during construction by a recognized organization acceptable to the director, per CCC 40.380.050(D). Residential homeowners constructing their own development activity are exempt. (See Condition # A-8)

Conclusion:

Based upon the development site characteristics, and the requirements of the County's stormwater ordinance, staff concludes that a feasible stormwater plan can be prepared. Therefore, the requirements of the preliminary plan review criteria are satisfied.

**Geologic Hazard Area:**

Finding 1 Applicability According to CCC 40.430.010(B)(1), all non-exempted development activities in or adjacent (within 100 feet) to geologic hazard areas shall comply with the provisions of the Geologic Hazard Ordinance CCC 40.430. According to Clark County GIS, significant portions of this site are mapped with steep slopes, severe erosion hazard areas, and areas of potential slope instability, making this development subject to this ordinance. (See Condition A-9)

Finding 2 Site Conditions and Geologic Issues As stated in Geologic Hazard Area Finding 1 above, this section of code applies to development activities in or within 100 feet of geologic hazard areas. The geologic hazard areas are all located in the northern portion of the north lot. The applicant shall show a geologic setback line on the final plat located 100 feet from the geologic hazard areas, and note that development activities north of this line are subject to the Geologic Hazard Ordinance CCC 40.430. (See Conditions # A-10 and D-8)

**FIRE PROTECTION:**

Finding 1 Fire Marshal Review - This application was reviewed by Tom Scott in the Fire Marshal's Office. Tom can be reached at (360) 397-2375 x4095 or 3323. Information can be faxed to Tom at (360) 759-6063. Where there are difficulties in meeting these conditions or if additional information is required, contact Tom in the Fire Marshal's office immediately.

Finding 2 Building Construction - Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process (See Condition C-1).

Finding 3 Fire Flow - Fire flow in the amount of 500 gallons per minute supplied for 30 minutes duration is required for this application. Prior to final approval submit proof from the water purveyor indicating that the required fire flow is available at the site. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval. If adequate flow is available within 1,000 feet of the property line, a fire hydrant will be required. If fire flow is not available alternative construction methods shall be used, this may include 30 foot setbacks and a class "A" or better rated roof.

Finding 4 Fire Hydrants - Fire hydrants are required for this application. Either the indicated number or the spacing of the fire hydrants is inadequate. The applicant shall provide fire hydrants such that the maximum spacing between hydrants does not exceed 700 feet and such that no lot or parcel is in excess of 500 feet from a fire hydrant as measured along approved fire apparatus access roads (See Condition A-11).

Unless waived by the fire district chief fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. The local fire district chief approves the exact locations of fire hydrants. As a condition of approval, contact Fire District 3 at 360-892- 2331 to arrange for location approval. The applicant shall provide and maintain a six-foot clear space completely around every fire hydrant (See Conditions A-12, A-13, A-14 and A-15).

Finding 5 Fire Apparatus Access - The roadways and maneuvering areas as indicated in the application shall meet the requirements of the Clark County Road Standard. Provide an unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving surface and capable of supporting the imposed loads of fire apparatus (See Condition A-16).

Finding 6 Fire Apparatus Turnarounds - Private driveways shall meet the requirements of the Clark County Road Standard. All new private driveways in excess of three hundred (300) feet in length shall be provided with an approved turnaround at the terminus and at intervals five hundred (500) feet or less, such that no portion of the road or driveway is in excess of three hundred (300) feet from an approved turnaround or turnout (See Condition A-17).

#### **WATER & SEWER SERVICE:**

Finding 1 The site will be served by Clark County Public Utility District (water) and by on-site sewage disposal systems. Letters from the above districts confirm that services are available to the site.

Finding 2 Submittal of a "Health Department Evaluation Letter" is required as part of the Final Construction Plan Review application. If the Evaluation Letter specifies that an acceptable "Health Department Final Approval Letter" must be submitted, the Evaluation Letter will specify the timing of when the Final Approval letter must be submitted to the county (e.g., at Final



Construction Plan Review, Final Plat Review or prior to occupancy). The Health Department Evaluation Letter will serve as confirmation that the Health Department conducted an evaluation of the site to determine if existing wells or septic systems are on the site, and whether any structures on the site have been/are hooked up to water and/or sewer. The Health Department Final Approval Letter will confirm that all existing wells and/or septic systems have been abandoned, inspected and approved by the Health Department (if applicable). (See condition # E-4)

Finding 3 Where use of wells or septic systems are proposed, the Health Department must sign the final plat prior to submittal to the county for final plat review and recording (See condition # E-1).

#### **IMPACT FEES:**

Finding 1 Both houses are existing legally established residences and are therefore exempt from the School Impact Fees which would normally be assessed for new residences.

## **SEPA DETERMINATION and DECISION**

The likely SEPA determination of Non-Significance (DNS) in the Notice of Development Review Application issued on September 2, 2004 is hereby final.

Based upon the proposed plan (identified as Exhibit 1), and the findings and conclusions stated above, the Development Services Manager hereby **APPROVES** this request, subject to the following conditions of approval:

### **Conditions of Approval**

**A.**  
**Conditions that must be met prior to Final Plat approval and recording; or if improvements are approved by the county for bonding or other secure method, such conditions shall be met prior to issuance of Building Permits per CCC, Sections 40.350.030(C)(4)(i) & (j) and 40.380.040N.**

- A-1** There are a number of buildings on the site. Each lot will have to be designed to ensure all buildings meet the setback standards for the R-5 zoning district prior to final short plat approval. (See Land Use Finding 1)
- A-2** A Shoreline Conditional Use Permit is being processed concurrently with this application. This short plat decision will not be considered final until the SCUP is approved by the Washington State Department of Ecology. (Critical Areas Finding 1)

- A-3** The Conditions of Approval for the Shoreline Conditional Use Permit (SHL2004-00009) and subsequent Washington State Department of Ecology approval shall be completed prior to final short plat approval. (Critical Areas Finding 2)
- A-4** The applicant shall dedicate sufficient right-of-way to provide a minimum 30-foot half-width right-of-way along the entire frontage with both sides of NE Lucia Falls Road. (See Transportation Finding #3)
- A-5** The lots of this subdivision shall access NE Lucia Falls Road via the existing access point only. (See Transportation Finding #4)
- A-6** The joint driveway shall be in a minimum 20-foot wide easement. This easement shall be widened as necessary to accommodate the entire driveway. (See Transportation Finding #5)
- A-7** This development is subject to CCC 40.380, the Stormwater and Erosion Control Ordinance. However, CCC 40.380.040(A)(6) exempts the construction of single-family homes, and their normal appurtenances and accessory structures, on an existing lot within the rural area from Section 40.380.040(B) (Water Quality Treatment) and Section 40.380.040(C) (Quantity Control). Therefore, the homes and their normal appurtenances, including the joint driveway are not subject to these sections of the Stormwater and Erosion Control Ordinance. This project is still subject to the Erosion Control portions of this ordinance. Erosion control shall be reviewed as a part of the Building Permit and/or Grading Permit process for any construction on these lots. (See Stormwater and Erosion Control Findings #1 & 3)
- A-8** All development activities performed by licensed contractors shall be supervised by an individual who shall have successfully completed formal training in erosion and sediment control during construction by a recognized organization acceptable to the director. (See Stormwater and Erosion Control Finding #3)
- A-9** This development shall comply with the provisions of the Geologic Hazard Ordinance CCC 40.430. (See Geologic Hazard Area Finding #1)
- A-10** The applicant shall show a geologic setback line on the final plat located 100 feet from the geologic hazard areas. (See Geologic Hazard Area Finding #2)
- A-11** Fire Hydrants - Fire hydrants are required for this application. Either the indicated number or the spacing of the fire hydrants is inadequate. The applicant shall provide fire hydrants such that the maximum spacing between hydrants does not exceed 700 feet and such that no lot or parcel is in excess of 500 feet from a fire hydrant as measured along approved fire apparatus access roads (See Fire Protection Finding 4).
- A-12** Unless waived by the fire district chief fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. (See Fire Protection Finding 4)

- A-13** Unless waived by the fire district chief fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. (See Fire Protection Finding 4)
- A-14** The local fire district chief approves the exact locations of fire hydrants. As a condition of approval, contact Fire District 3 at 360-892- 2331 to arrange for location approval. (See Fire Protection Finding 4).
- A-15** The applicant shall provide and maintain a six-foot clear space completely around every fire hydrant (See Fire Protection Finding 4).
- A-16** Fire Apparatus Access - The roadways and maneuvering areas as indicated in the application shall meet the requirements of the Clark County Road Standard. Provide an unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving surface and capable of supporting the imposed loads of fire apparatus (See Fire Protection Finding 5).
- A-17** Fire Apparatus Turnarounds - Private driveways shall meet the requirements of the Clark County Road Standard. All new private driveways in excess of three hundred (300) feet in length shall be provided with an approved turnaround at the terminus and at intervals five hundred (500) feet or less, such that no portion of the road or driveway is in excess of three hundred (300) feet from an approved turnaround or turnout (See Fire Protection Finding 6).

<b>C. Conditions that must be met <u>prior to issuance of Occupancy Permits</u></b>
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- C-1** Building Construction - Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process (Fire Protection Finding 2).

<b>D. Notes Required on Final Plat</b>
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The following notes shall be placed on the final plat:

**D-1 Archaeological (all plats):**

"If any cultural resources are discovered in the course of undertaking the development activity, the Office of Archaeology and Historic Preservation in Olympia and Clark County Community Development shall be notified. Failure to comply with these State requirements may constitute a Class C Felony, subject to imprisonment and/or fines."

**D-2 Mobile Homes:**

"Mobile homes are permitted on all lots subject to the requirements of CCC 40.260.130."

**D-3 Mobile Homes:**

"Applicants for placement of mobile homes are required to meet all of the listed criteria found in CCC 40.260.130(D) at the time of placement permit."

**D-4 Septic Systems:**

"The approved, initial, reserve, and/or existing sewage system sites shall be protected from damage due to development. All sites shall be maintained so they are free from encroachment by buildings and not be subject to vehicular traffic or other activity which would adversely affect the site or system function."

**D-5 Erosion Control:**

"Erosion control shall be reviewed as a part of the Building Permit and/or Grading Permit process for any construction on these lots."

**D-6 Driveways:**

"The lots of this subdivision shall access NE Lucia Falls Road via the existing access point only."

**D-7 Driveways:**

"Only Lots 1 & 2 of this plat may utilize the joint driveway to access NE Lucia Falls Road."

**D-8 Geologic Hazard Areas:**

"Development activities north of the geologic setback line are subject to the Geologic Hazard Ordinance CCC 40.430."

<b>E. Standard Conditions</b>
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This development proposal shall conform to all applicable sections of the Clark County Code. The following conditions shall also apply:

**Land Division:**

**E-1** If the use of wells and/or septic systems are proposed, the Health Department must sign the final plat prior to submittal to the county for final plat review and recording.

**E-2** Within 5 years of preliminary plan approval, a Fully Complete application for Final Plat review shall be submitted.

**E-3** Deleted

**Water Wells and Septic Systems:**

**E-4** Submittal of a "Health Department Evaluation Letter" is required as part of the Final Construction Plan Review application. If the Evaluation Letter specifies that an acceptable "Health Department Final Approval Letter" must be submitted to the county, the Evaluation Letter will specify the timing of when the Final

Approval Letter must be submitted. (e.g., at Final Construction Plan Review, Final Plat Review, or prior to occupancy).

**E-5** For on-site water wells and sewage system, the following requirements shall be completed prior to final plat recording:

- A. A 100-foot radius of protection for any wells shall be shown on the final plat map and be located within the boundaries of the land division;
- B. The location of all existing wells (in use, not in use or abandoned) shall be indicated on the final plat map;
- C. Each on-site sewage system shall be on the same lot it serves;
- D. Test hole locations corresponding to the designated treatment sites shall be surveyed and indicated on the final plat map;
- E. No public or private easements or rights-of-way shall be extended through the approved, reserve or existing on-site sewage system sites;
- F. Provisions shall be made to prevent flow or accumulation of surface water over the area where an on-site sewage system is located;
- G. A copy of the County approved final drainage plan shall be submitted for review; and,
- H. All proposed lots shall have a current approved septic system site evaluation or septic system permit. Should either be allowed to expire, subsequent approval of an on-site sewage treatment system cannot be assured and, therefore, the Health Department will not sign the final plat.

**Final Construction/(Site) Plan Review:**

**E-6 Pre-Construction Conference:**

Prior to construction or issuance of any grading or building permits, a pre-construction conference shall be held with the County.

**E-7 Erosion Control:**

Prior to construction, the applicant shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC 40.380.

**E-8 Erosion Control:**

For land divisions, a copy of the approved erosion control plan shall be submitted to the Chief Building Official prior to final plat recording.

**E-9 Erosion Control:**

Prior to construction, erosion/sediment controls shall be in place. Sediment control facilities shall be installed that will prevent any silt from entering infiltration systems. Sediment controls shall be in place during construction and until all disturbed areas are stabilized and any erosion potential no longer exists.

**E-10 Erosion Control:**

Erosion control facilities shall not be removed without County approval.

**E-11 Excavation and Grading:**

Excavation/grading shall be performed in compliance with Appendix Chapter J of the 2003 International Building Code (IBC).

## **E-12 Excavation and Grading:**

Site excavation/grading shall be accomplished, and drainage facilities shall be provided, in order to ensure that building foundations and footing elevations can comply with CCC 14.04.252.

**Note: The Development Services Manager reserves the right to provide additional comment and findings of fact regarding this decision, if appealed.**

An **appeal** of any aspect of this decision, including the SEPA determination and any required mitigation measures, may be appealed to the County Hearing Examiner only by a party of record. A "Party of Record" includes the applicant and those individuals who submitted written testimony to the Development Service Manager within the designated comment period.

The appeal shall be filed with the Department of Community Development within fourteen (14) calendar days from the date the notice of final land use decision is mailed to parties of record. This decision was mailed on November 3, 2004. Therefore any appeal must be received in this office by 4:30 PM, November 17, 2004.

### **APPEAL FILING DEADLINE**

**Date: November 17, 2004**

Any appeal of the final land use decisions shall be in writing and contain the following:

1. The case number designated by the County and the name of the applicant;
2. The name and signature of each person or group (petitioners) and a statement showing that each petitioner is entitled to file an appeal as described under Section 40.510.030(H) of the Clark County Code. If multiple parties file a single petition for review, the petition shall designate one party as the contact representative with the Development Services Manager. All contact with the Development Services Manager regarding the petition, including notice, shall be with this contact person;
3. The specific aspect(s) of the decision and/or SEPA issue being appealed, the reasons why each aspect is in error as a matter of fact or law, and the evidence relied, on to prove the error; and,
4. A check in the amount of **\$1070** (made payable to the Department of Community Development).

The appeal request and fee shall be submitted to the Department of Community Development, Customer Service Center, between 8:00 AM and 4:30PM Monday through Friday, at the address listed below.

#### **Attachments:**

- Copy of Proposed Preliminary Plan

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A copy of the approved preliminary plan, SEPA Checklist and Clark County Code are available for review at:

**Public Service Center  
Department of Community Development  
1300 Franklin Street  
P.O. Box 9810  
Vancouver, WA. 98666-9810  
Phone: (360) 397-2375; Fax: (360) 397-2011**

A copy of the Clark County Code is also available on our Web Page at:  
Web Page at: <http://www.clark.wa.gov>

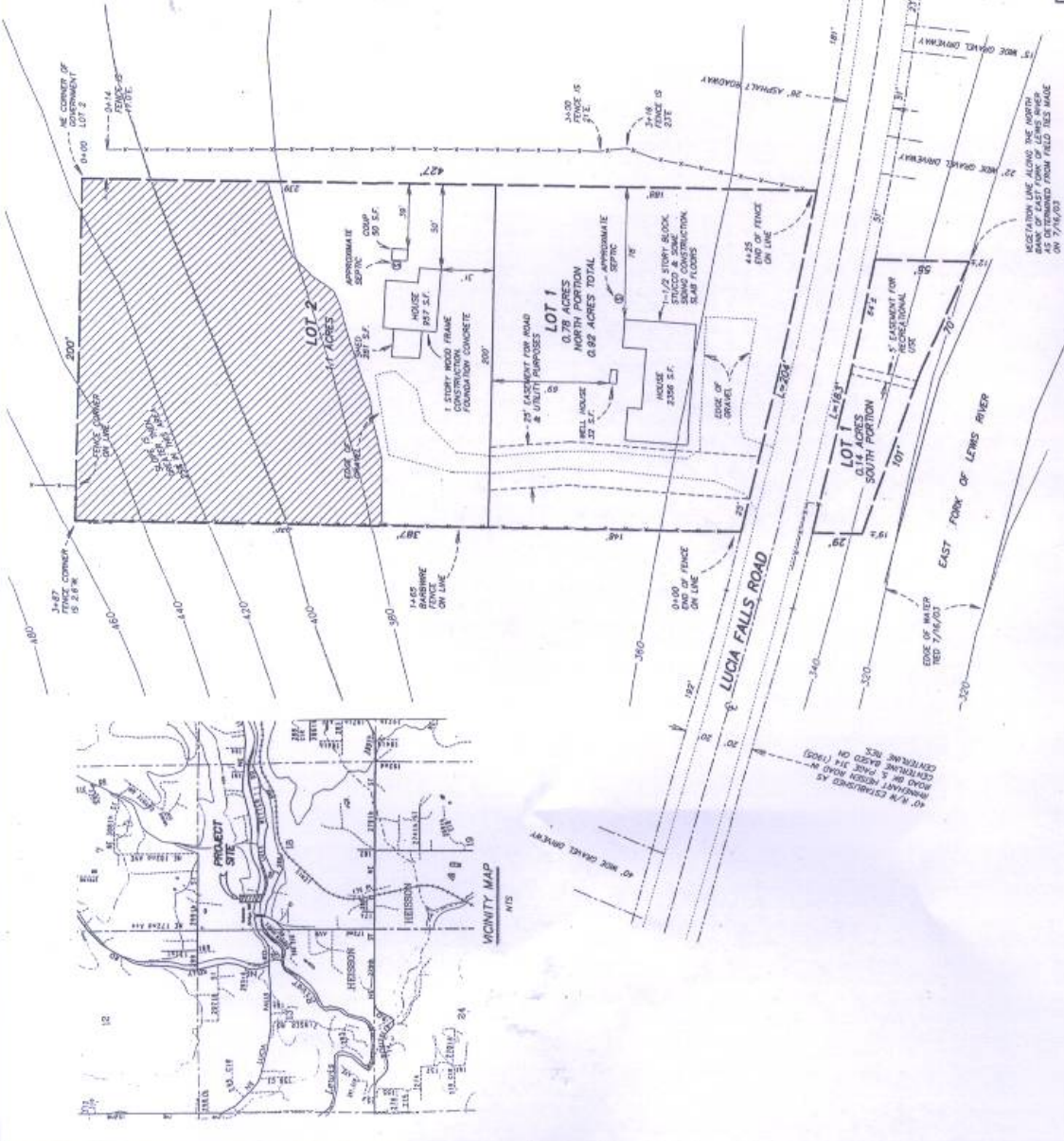
**WITTHAUER**  
**PRELIMINARY SHORT PLAT**  
 IN GOVT. LOT 2 IN THE  
 FRACTIONAL SW 1/4 NW 1/4  
 OF SECTION 18, T4N, R3E, W.M.  
 CLARK COUNTY, WA.



S.F. = SQUARE FEET  
 AREA: LOT 1: NORTH PORTION: 0.78 ACRES=33,817 S.F.  
 SOUTH PORTION: 0.14 ACRES=6,227 S.F.  
 LOT 2: 1.18 ACRES=51,278 S.F.  
 TOTAL AREA: 2.02 ACRES=87,322 S.F.

SITE DATA: TAX LOT #58 - SERIAL NO. 23375  
 TOTAL AREA = 2.02 ACRES  
 COMPREHENSIVE PLAN DESIGNATION: RURAL 5  
 SCHOOL DISTRICT: BATTLE GROUND  
 FIRE DISTRICT: J  
 COUNTY ZONING: R-5

OWNER/APPLICANT/CONTACT:  
 HAGEDORN, INC.  
 1924 Broadway Vancouver, WA 98663  
 Ph: (360) 696-4428 (503) 283-6778  
 FAX: (360) 696-4428  
 P.O. BOX 137  
 BATTLE GROUND, WA 98604



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 1924 Broadway Vancouver, Wa. 98663  
 Ph: (360) 696-4428 (503) 283-6778

SCALE: 1"=40'	JOB NO: 03-125	DRAWN BY: JC	CHKD: 03-125
DATE: 6/10/04	CALC BY: CJB	CHECKED BY:	

CONTOUR INTERVAL = 20'  
 CONTOURS WERE DERIVED FROM  
 USGS QUADRANGLE MAP